UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
AL HASHEMI, SANA A

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2008*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *40-83* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *40-83* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is issued in response to amendment filed 12/16/08.

Claims 1-39 were canceled. Claims 40-79 were amended. Claims 80-83 were added.

Claims 40-83 are pending.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 40-79 are rejected under 35 USC 102(e) as being anticipated by Subramaniam et

al (Subramaniam hereinafter) US Patent Application Publication No. 2007/0208697 filed June

18, 2001.

Regarding Claims 40, 57, and 69, Subramaniam discloses a computer-implemented

method for generating multiple implicit search queries comprising:

identifying a plurality of events responsive to monitoring real time user interaction with a

client device (Fig. 1, 100, Paragraph 78, Subramaniam);

identifying a plurality of user-context attributes based at least in part on the

plurality of events wherein the plurality of user context attributes indicate aspects of the real time

user interaction with the client device (Fig. 4, 405, Subramaniam);

generating a plurality of implicit search queries comprised of terms, wherein the terms

are based at least in part on the plurality of user-context attributes (Fig. 6, 620, Paragraph 131,

Subramaniam);

receiving a plurality of search results generated responsive to the plurality of search

queries (Fig. 6, 625, Paragraph 241, Subramaniam); and

updating a display of search results responsive to receiving the plurality of search

results (Fig. 7, 715, Paragraph 229, Subramaniam).

Regarding Claims 41, and 70, Subramaniam discloses a method wherein the real time

user interaction with a client device comprise changes in a position of a cursor on the client

device (Fig. 21, Subramaniam).

Regarding Claims 42, and 71, Subramaniam discloses a method wherein the real time

user interaction with a client device comprise user interactions with applications on the client

device (Fig. 4, 415, Subramaniam).

Regarding Claims 43, and 72, Subramaniam discloses a method wherein monitoring user

interaction further comprises monitoring multiple types of the real time user interaction with a

client device (Fig. 2, 200, Subramaniam).

Regarding Claim 44 and 73 Subramaniam discloses a method wherein at least a first

event of the plurality of event comprises one or more words and identifying the plurality of user-

context attributes further comprises extracting a term from the one or more words (Fig. 6, 615,

Paragraph 168, Subramaniam).

Regarding Claims 45, and 73, Subramaniam discloses a method wherein extracting the

term from the one or more words comprises identifying content unique to the first event based on

the one or more words and extracting the term from the one or more words based on the unique

content (Fig. 6, 625, Subramaniam).

Regarding Claim 46, Subramaniam discloses a method wherein extracting the term from the one or more words comprises identifying a part of speech associated with the term based on analysis of the one or more words (Fig. 7, 710, Subramaniam).

Regarding Claims 47, and 74, Subramaniam discloses a method wherein identifying the plurality of user-context attributes further comprises generating a term measure based on at least a first frequency that the extracted term occurs in at least one of the one or more words and an index of content (Fig. 9, 910, Subramaniam).

Regarding Claims 48, and 76, Subramaniam discloses a method wherein generating the plurality of search queries comprising of terms further comprises generating a plurality of implicit search queries comprising of terms selected responsive at least in part to the term measure (Fig. 10, 1015, Subramaniam).

Regarding Claims 49, 63, and 74, Subramaniam discloses a method wherein generating the plurality implicit search queries comprising of terms further comprises:

identifying for a user, a user profile comprised of a plurality of user attributes; identifying a search term based at least in part on the plurality of user attributes (Fig. 18, 1810, Subramaniam); and

generating an implicit search query based at least in part on the search term (Fig. 18, 1825, Subramaniam).

Regarding Claim 50, Subramaniam discloses a method further comprising storing the user-context attributes, and wherein identifying the plurality of user-context attributes further comprises identifying a stored previous user-context attribute (Fig. 232340, Subramaniam).

Regarding Claims 51, 64, Subramaniam discloses a method wherein receiving the

plurality of implicit search results generated responsive to the plurality of search queries further

comprises receiving the plurality of search results responsive to a plurality of searches, each

search of the plurality of searches directed to at least one of a local index of content stored on the

client device and a global index of content on a network (Fig. 23, 2300, Subramaniam).

Regarding Claims 52, and 65, Subramaniam discloses a method wherein the search

results comprise a first search result set and updating a display of search results responsive to

receiving the plurality of search results further comprises combining the first result set with a

second result set (Fig. 24, 2405, Subramaniam), the second result set comprised of results from

previously generated search queries (Fig. 25, 2500, Subramaniam).

Regarding Claims 53, 66, and 77, Subramaniam discloses a method further comprising

defining a search result filter specifying restrictions for displaying search results, the restrictions

based on at least one of query syntax, type of article displayed, Uniform Resource Locator, web

site from which an article was retrieved, date on which an article was cached and a user-defined

relevance metric (Fig. 24, 2410, Subramaniam).

Regarding Claims 54, 67, and 78, Subramaniam discloses a method wherein updating the

display of search results responsive to receiving the plurality of search results further comprises

filtering the display of search results based on the search result filter (Fig. 26, 2625,

Subramaniam).

Regarding Claims 55, 68, and 79, Subramaniam discloses a method wherein updating the

display of search results responsive to receiving the plurality of search results further comprises

ranking the search results based at least in part on a history of user interactions with previously-displayed search results (Fig. 26, 2610, and 2620, Subramaniam).

Regarding Claim 56, Subramaniam discloses a method wherein ranking the search results further comprises ranking the search results based on the user-context attributes (Fig. 27, Priority is a way of ranking, Subramaniam).

Regarding Claim 58, Subramaniam discloses a computer-readable storage medium wherein the program code for monitoring real time user interaction with the client device further comprises program code for monitoring multiple types real time user interaction with the client device (Fig. 1, 110, Subramaniam).

Regarding Claim 59, Subramaniam discloses a computer-readable storage medium wherein at least a first event of the plurality of events comprises one or more words and the program code for identifying the plurality of user-context attributes further comprises program code for extracting a term from the one or more words (Fig. 6, 615, Subramaniam).

Regarding Claim 60, Subramaniam discloses a computer-readable storage medium wherein the program code for extracting the term from the one or more words comprises program code for identifying content unique to the one or more words and extracting the term from the unique content (Fig. 26, 2610, and 2620, Subramaniam).

Regarding Claim 61, Subramaniam discloses a computer-readable storage medium wherein the program code for identifying the plurality of user-context attributes further comprises program code for generating a term measure based on at least a first frequency that the extracted term occurs in at least one of the one or more words and an index of content (Fig. 9, 910, Subramaniam).

Regarding Claim 62, Subramaniam discloses a computer-readable storage medium wherein the program code for generating the plurality of implicit search queries comprising terms further comprises program code for generating a plurality of implicit search queries comprising terms selected responsive at least in part to the term measure (Fig. 10, 1015, Subramaniam).

Regarding Claim 80, Subramaniam discloses a method wherein the event comprises receiving a text buffer and the user context attribute is the current word in the text buffer (Paragraph 193, Subramaniam).

Regarding Claim 81, Subramaniam discloses a method wherein the event comprises receiving a text buffer and the user context attribute comprises one or more words are near a position of a cursor (Fig. 21, Subramaniam).

Regarding Claim 82, Subramaniam discloses a method wherein the event comprises receiving a text buffer and the user context attribute comprises one or more words last input to the text buffer by a user (Paragraph 242, Subramaniam).

Regarding Claim 83, Subramaniam discloses a method wherein the event comprises receiving a text buffer and the user context attribute comprises one or more words selected by the user from the text buffer (Fig. 41, 4125, Subramaniam).

Response to Arguments

Applicant's arguments filed 12/16/08 have been fully considered but they are not persuasive.

Applicant argues the Subramaniam fail to disclose the "real-time user interaction".

Examiner disagrees. The Subramaniam disclose the user interaction is a real time as shown in paragraph 78, connected clients and server components, including those that operate in conjunction with the thin clients, can connect directly to the database 290 and make changes in a real time. In one embodiment, mobile clients can download a subset of the server's data to use locally, and periodically synchronize with the server database through the system server to update both the local and the server database. Further more the specification of the instant applicant does not support the claimed language of "real time user interaction". Therefore the claim language has been interpreted with the broadest reasonable interpretation. In addition it is a fact in the art that a user interaction is a real time interaction

Applicant argues the Subramaniam fails to disclose the "wherein the plurality of user-context attributes indicate aspect of the real-time user interaction with the client device".

Examiner disagrees. Subramaniam at paragraph 156 discloses the user-context attributes indicate aspect of the real-time user interaction with the client device.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Point of Contact

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013.

The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Pierre Vital can be reached on 571-272-4125. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sana Al-Hashemi/
Primary Examiner, Art Unit 2169
March 5, 2009